

JAN 17 2025

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# A BILL FOR AN ACT

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RELATING TO PARKING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the statewide  
2 parking program for persons with disabilities, was established  
3 under part III of chapter 291, Hawaii Revised Statutes, pursuant  
4 to the federal Uniform System for Parking for Persons with  
5 Disabilities, as adopted in title 23 Code of Federal Regulations  
6 section 1235. The disability and communication access board  
7 administers the program, which together with the counties,  
8 issues disability parking permits to applicants who are  
9 certified by a physician or advance practice registered nurse.  
10 A vehicle displaying a disability parking permit is authorized  
11 to park in spaces designed and reserved for persons with  
12 mobility disabilities. However, improper use and insufficient  
13 enforcement impact access for legitimate program participants.

14       The legislature further finds that adoption of electric  
15 vehicles is a vital step in the State's efforts to combat  
16 climate change, reach the 2045 mandated carbon neutrality, and  
17 create a more sustainable future. The legislature has made



1 efforts to encourage and facilitate the adoption of electric  
2 vehicles, with tax credits, and with designated charging parking  
3 spaces. These parking spaces not only encourage the adoption of  
4 electric vehicles but are a vital component to personal and  
5 statewide use. The ability to park in an electric vehicle space  
6 allows individuals to make sure they can continue to use their  
7 vehicle with ease and have the security to make it to their next  
8 destination with adequate fuel. The use of these spaces by non-  
9 electric vehicles not only takes away an incentive granted to  
10 electric vehicle drivers but can imperil their transportation  
11 use by not allowing them the opportunity to recharge.

12 Therefore, the purpose of this Act is to:

- 13 (1) Establish a state accessible parking space enforcement  
14 fine for parking in parking spaces reserved for  
15 persons with disabilities or electric vehicles;
- 16 (2) Increase fines for any person who parks a non-electric  
17 vehicle in a space designated and marked as reserved  
18 for electric vehicles; and
- 19 (3) Require the fines be deposited into the state general  
20 fund.



1       SECTION 2. Section 291-57, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3       "(b) Any person who uses a parking space reserved for  
4 persons with disabilities and refuses or fails to present an  
5 identification card issued under this chapter or the rules  
6 adopted thereunder to an enforcement officer upon request shall  
7 be guilty of a traffic infraction under chapter 291D [~~and~~  
8 ~~shall~~], be fined [~~no~~] not less than \$250 nor more than \$500[-],  
9 and pay any costs incurred by the court related to assessing the  
10 fine. In addition to any other applicable penalties and fines,  
11 any person who violates this subsection shall be assessed a  
12 state accessible parking space enforcement fine of \$100. The  
13 fine shall be enforced and collected by the district courts and  
14 be deposited into the state general fund."

15       SECTION 3. Section 291-72, Hawaii Revised Statutes, is  
16 amended by amending subsection (a) to read as follows:

17       "(a) Any person who parks a non-electric vehicle in a  
18 space designated and marked as reserved for electric vehicles or  
19 parks any vehicle in a parking space equipped with an electric  
20 vehicle charging system while not actively charging shall be  
21 guilty of a traffic infraction under chapter 291D [~~and shall~~],



1 be fined not less than [~~\$50~~] \$250 nor more than [~~\$100,~~] \$500,  
2 and [~~shall~~] pay any costs incurred by the court related to  
3 assessing the fine. In addition to any other applicable  
4 penalties and fines, any person who violates this subsection  
5 shall be assessed a state accessible parking space enforcement  
6 fine of \$100. The fine shall be enforced and collected by the  
7 district courts and be deposited into the state general fund."

8 SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 1009

**Report Title:**

State Accessible Parking Space Enforcement Fine; Parking;  
Persons with Disabilities; Electric Vehicles

**Description:**

Establishes a state accessible parking space enforcement fine for parking in parking spaces reserved for persons with disabilities or electric vehicles. Increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles. Requires the fine to be deposited into the state general fund.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

